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May 9, 2018

Via ECF

Honorable Noel L. Hillman
United States District Court, District of New Jersey Camden
Mitchell H. Cohen U.S. Courthouse
1 John F. Gerry Plaza, 4th & Cooper Sts., Room 6030
Camden, NJ 08101

RE: Kenneth Harden v. City of Millville, et al.
No.: 1:17-cv-05127-NLH-KMW

Dear Judge Hillman:

As the Court's docket will reflect, the undersigned serves as counsel of record for the Defendant, Officer Jeffrey Proffit. By Opinion of May 8, 2018 (Docket Item 32) the Court granted the motion to dismiss filed on behalf of the Defendant, City of Millville, and Jody Farabella, finding that Plaintiff's claims were barred by the statute of limitations.

As to Defendant Proffit, who had requested a stay of those claims asserted against him as a result of a pending criminal matter, the Court stated that in "light of the disposition of the current motion the Court will issue an Order to Show Cause as to why this matter should not be dismissed as to Defendant Proffit as well." (Ibid., p.4 n.2)

I concur that this matter should be dismissed as to the Defendant Proffit. Plaintiff's failure to file a complaint within the statute of limitations should operate as a bar to Plaintiff's pursuit of any claims arising from the incident identified in his complaint against any individual or entity, including Defendant Proffit.

I thank the Court for its courtesies herein.

Respectfully submitted,

MADDEN & MADDEN, P.A.

/s/ Patrick J. Madden

Patrick J. Madden

PJM:da

cc: Conrad J. Benedetto, Esquire – via ECF
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